

UNITED NATIONS ORGANIZATION
MISSION IN THE DEMOCRATIC
REPUBLIC OF CONGO: A CASE
FOR PEACEKEEPING REFORM

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 2005

Mr. SMITH of New Jersey. Mr. Speaker, I rise to address the recent U.N. Peacekeeping scandal in the Democratic Republic of Congo.

We know that there have been disturbing allegations of sexual misconduct and exploitation of refugees by U.N. peacekeepers and civilian personnel assigned to the U.N. peacekeeping mission in the Democratic Republic of Congo. Human rights groups and the U.N.'s own internal investigations have uncovered over 150 allegations against Mission personnel. These allegations typically involve peacekeepers' sexual contact with Congolese women and girls, usually in exchange for food or small sums of money. According to the U.N., these contacts occurred with regularity, and many involved girls under the age of 18, with some as young as 11–14. Even more troubling are allegations of rape, forced prostitution, and demands of sex for jobs by U.N. civilian personnel.

Some in our audience might be thinking that apart from the more serious allegations of rape and other sexual abuse, prostitution is the world's oldest profession and that it is unrealistic to ask soldiers away from their families to abstain from sex. This attitude of "boys will be boys" is indeed common. In fact, the U.N. reported that it encountered significant and widespread resistance to its investigation, and that numerous U.N. personnel were unwilling to identify perpetrators.

The reality, however, is that this state of affairs is not just a private matter involving only the personal moral choices of the peacekeepers. Hundreds of vulnerable women and children are being re-victimized; the reputation of the United Nations is being badly damaged; and lack of internal discipline is compromising security and effectiveness of the peacekeeping operations. From any perspective, this situation is deplorable.

Let me expand on a few of these points. First, United Nations forces conducting operations under United Nations command and control are tasked with upholding international humanitarian law and have a particular duty to protect women and children from sexual assault or exploitation. Peacekeepers have a responsibility to protect the most vulnerable members of Congolese society. When the peacekeepers become the exploiters, something is dreadfully wrong.

Second, the civilian population is especially vulnerable. There are frequent outbreaks of armed violence in the eastern half of the Congo, especially in the provinces of North Kivu, South Kivu and Ituri, as the country emerges from its second war in the last ten years. The civilian population in these areas has experienced systematic acts of rape, torture, murder, and other abuse. Many of the Congolese women and girls in the camps which the peacekeepers are protecting have been orphaned and/or are victims of rape

which occurred during the conflicts. Investigators found that they have experienced significant trauma which continues to affect them today.

Poverty and hunger are also significant factors contributing to the abuse. Children driven by hunger approach the peacekeepers seeking food or the smallest sums of money. Many families are cut off from their farmlands because of fear of attacks from militia, and few alternate employment options exist. According to the U.N.'s own investigation, food supplies in some camps are reportedly inadequate.

Third, the continued toleration of sexual exploitation and abuse by U.N. leaders is severely damaging the reputation and the effectiveness of the organization. All troop-contributing nations recognize the Code of Personal Conduct for Blue Helmets as binding. This Code explicitly bans any exchange of money, employment, goods or services for sex, and renders the perpetrators liable to disciplinary action for serious misconduct. In fact, the U.N. has promulgated at least five U.N. codes of conduct prohibiting sexual activity with children (persons under 18 years of age) in the Congo, and yet the practice continues unabated.

This activity is prohibited under rule four of the Code of Conduct for Blue Helmets, the MONUC code of conduct, the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse of 2003 (ST/SGB/2003/13), section seven of the Secretary-General's bulletin on observance by United Nations forces of international humanitarian law of 1999 (ST/SGB/1999/13), and new "non-fraternisation" regulations promulgated by U.N. Secretary General Kofi Annan in a letter to the U.N. Security Council on February 9th. That the abuse continues and is characterized by internal U.N. reports as "significant, widespread and on-going" appears to indicate there is rather a state of "zero-compliance with zero-tolerance" throughout the mission.

In the words of Dr. Sarah Mendelson, Senior Fellow at the Center for Strategic and International Studies, who testified in a joint issue forum before the House Armed Services Committee and the Helsinki Committee last fall, "Military misconduct is a threat to any mission. When that misconduct involves human rights abuses, it affects the credibility and reputation of peacekeepers and can enrage local populations. When those implicated are also responsible for force protection, they can compromise their main military mission. . . . Those peacekeepers who serve with honor are being tainted by the minority who purchase sex with these women and girls and by the even smaller minority who actively engage in the grave human rights abuse of trafficking."

The U.N. has struggled with similar allegations regarding peacekeeper misconduct and sexual exploitation in the past ten years in Sierra Leone, Liberia, and Guinea, as well as on the European continent in Kosovo and Bosnia. Some of the underlying issues are complex, such as how to ensure perpetrators are held accountable when no effective U.N. mechanism exists, and Member states are unwilling to prosecute. Yet other simple fixes also exist, such as the creation of an offender database, holding commanders accountable for the con-

duct of their troops, and banning nations from peacekeeping missions which refuse to take disciplinary action. The seeming reluctance of the U.N. to act on some of these seemingly obvious solutions raises questions about the willingness of leadership to undertake reform, and raises questions about the ability of the U.N. to police itself.

Furthermore, the United States Congress has a fiduciary obligation to do so. The United States is the world's largest donor to the peacekeeping mission in the Congo, contributing over \$200 million annually, and contributes almost over a quarter of the entire peacekeeping budget of the United Nations. The Administration has asked the Congress for an additional \$780 million for peacekeeping operations in the supplemental budget request.

We hope that continual Congressional efforts will spur needed change, not only in the Congo, but in the standard operating practices of U.N. peacekeeping around the world.

HONORING THE CONTRIBUTIONS
OF COMAL COUNTY JUDGE
DANNY SCHEEL

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize the dedicated public service of Comal County Judge Danny Scheel.

Judge Danny Scheel is an essential part of Comal County. He is a fifth-generation resident of the county, and has spent a distinguished career in the public sector, holding the positions of Comal County Constable and Comal County Commissioner.

He has also been active as an advocate for his community on the State level. He is a member of the Alamo Area Council of Governments, represents Comal County on the Texas Association of Regional Councils Service Board and Employee Health Benefits Board, and he is Co-Chairman of the Central Texas County Judges' Mobility Alliance.

He has been responsible for major improvements in Comal County's emergency management program. In response to the flood of 1998, he hired an Emergency Management Coordinator and established emergency procedures that helped the county cope with the flood of 2002.

Danny Scheel has been recognized as New Braunfels Citizen of the Year, A Friend of the 4-H, and was selected to interview with the Today Show during the 2002 floods.

Mr. Speaker, he has set a wonderful example of commitment to public service, and I am proud to have this opportunity to thank him.

IN MEMORY OF MR. LEWIS
FENTON

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 2005

Mr. FARR. Mr. Speaker, I rise today to honor Lewis Lowry Fenton, who passed away